

11/3/99
Docket No: PD-25661

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#7

In re the Patent Application of: Michele Bovio and Robert C. Frame

Serial No.: 08/822,438

Filed: March 21, 1997

Entitled: FLAT-PANEL DISPLAY MOUNTING SYSTEM FOR PORTABLE COMPUTER

Group Art Unit: Not yet assigned

Examiner: Not yet assigned

PETITION FOR WITHDRAWAL OF HOLDING OF ABANDONMENT
BASED ON NON-ABANDONMENT IN FACT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants hereby petition the Commissioner to withdraw in the above-identified application the September 2, 1998 Notice of Abandonment for failure to reply to the August 7, 1997 Notice to File Missing Parts of Application (Filing Date Granted).

The Basis for this petition is that a timely and complete response to the August 7, 1997 Notice to File Missing Parts was filed by applicants on October 3, 1997. This is evidenced by the enclosed copy of such response which includes (1) a Declaration and Power of Attorney executed by each of the named inventors; (2) an Assignment Cover Sheet and Assignment; (3) an authorization to charge Deposit Account No. 04-1079 for the total response fee and any other required fees; and (4) a return post card.

As can be seen on the enclosed copy of the PTO-stamped return post card, the Patent Office acknowledged an October 6, 1997 receipt of the Assignment and the response to the Notice to File Missing Parts. It would thus appear that applicants' timely and complete response to the August 7, 1997 Notice to File Missing Parts has been misplaced in the Patent Office. The enclosed copy of the recorded assignment (having an October 6, 1997 recordation date) is seen to be further evidence that the materials indicated in the PTO-stamped return post card were actually received by the Patent Office. (This would also seem to indicate that the response to the Notice to File Missing Parts may well have been inadvertently routed by the Patent Office to its Assignment Branch).

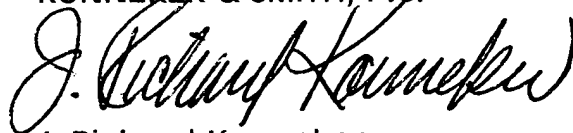
On the basis of the foregoing petition statements, and the enclosed supporting evidence, it is respectfully submitted that there has been no abandonment in fact of this application, and applicants therefore earnestly request that the holding of abandonment of the application be withdrawn.

The enclosed copy of the originally filed executed Declaration and Power of Attorney will serve as a replacement for the original executed Declaration and Power of Attorney misplaced in the Patent Office. Although in the timely submitted response to the August 7, 1997 Notice to File Missing Parts authorization was given to charge Deposit Account No. 04-1079 for the \$1,140 total response fee and any attendant fees, because this timely payment has also apparently been misplaced in the Patent Office a check in the amount of \$1,140 in payment of such total response fee is enclosed herewith.

Because there clearly was no abandonment in fact of this application, no fee is seen to be due in conjunction with this petition. However, if such fee is in fact required, authorization is hereby given to charge such fee, together with any other fees which may be properly due in conjunction with this petition or the response to the Missing Parts Notice, or credit any overpayment relating thereto, to Deposit Account No. 11-1543. A DUPLICATE COPY OF THIS SHEET IS ENCLOSED HERewith.

Respectfully submitted,

KONNEKER & SMITH, P.C.



J. Richard Konneker
Attorney for Applicants
Registration No. 28,867

Dated: January 13, 1999

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C., 20231,

on JANUARY 13, 1999
